INFORMATION SHEET

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Kansa	s City Di	<u>strict</u>								
FILE NUMBER: 200600265										
REGULATORY PROJECT MANAGER:Date: 16 December 2005										
PROJECT REVIEW/DETER	RMINATIO	ON COM		At	the project s	site Y (Y/		Date: 14	-	
PROJECT LOCATION INFO	ORMATIO	ON:	D	ecember 20	05					
County: Jackson Center coordinates (of site by la	atitude &	longitud	inal coordii	nates: 39-01	-05.16 94-1	2-			
Approximate size of site/property (including uplands & in acres): Name of waterway or watershed: CROOKED										
SITE CONDITIONS:										
Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown	
Lake										
River										
Stream										
Dry Wash										
Mudflat										
Sandflat										
Wetlands	0.14									
Slough										
Prairie pothole										
Wet meadow										
Playa lake					1	1	1			
Vernal pool						1	1			
Natural pond						1	1			
Other water (identify type)										
	-									
¹ Check appropriate boxes that be jurisdictional aquatic resource ar		type of iso	lated, non-	navigable, ir	itra-state wat	er present an	d best estim	ate for size of	non-	
-										

Migratory Bird Rule Factors ¹ :	If Known		If Unknown				
			Use Best Professional Judgment				
	Yes	No	Predicted	Not Expected to	Not Able To Make		
			to Occur	Occur	Determination		
Is or would be used as habitat for birds protected by				X			
Migratory Bird Treaties?							
Is or would be used as habitat by other migratory birds that			X				
cross state lines?							
Is or would be used as habitat for endangered species?					X		
Is used to irrigate crops sold in interstate commerce?		X					
¹ Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated.							

¹Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION:

Preliminary __ Or Approved X_.

OPITIONAL ADDITIONAL INFORMATION SUPPORTING NJD (e.g., discussion may include information reviewed to assess potential navigation or interstate commerce connections - 1 to 3 paragraphs):Preliminary Jurisdictional Determination dated October 2005 by Terra Technologies and site visit by regulatory staff on 14 December 2005 verified there is no visible hydrologic connection between the wetlands and the intermittent stream.